

169 Ramapo Valley Road
Upper Level 105
Oakland, New Jersey 07436
Tel: 973-845-6700
Fax: 201-644-7601
Scott A. Sears, Esq. (Attorney ID No. 164272015)
Attorneys for Creditor, Travis Roemmele

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

CERTIFICATION OF CREDITOR'S COUNSEL IN SUPPORT OF FEES

Scott A. Sears, Esq. hereby certifies and says:

1. I am an attorney at law of the State of New Jersey and an associate with the firm of Cleary Giacobbe Alfieri Jacobs LLC, attorneys for Creditor Travis Roemmele (hereinafter, “Roemmele”) in the above-referenced matter.

2. By correspondence dated May 11, 2015, counsel for Roemmele demanded that Defendant Vincent Crandon (hereinafter, “Defendant”) return \$21,000.00 that was obtained by fraud in the inducement, common law fraud, breach of fiduciary duty, breach of implied covenant of good faith and fair dealing, breach of contract, rescission, and conversion.

3. On or about December 1, 2015, Roemmele filed a Complaint in the Superior Court of New Jersey, Bergen County, Law Division against Defendant alleging fraud in the inducement, common law fraud, breach of fiduciary duty, breach of implied covenant of good

faith and fair dealing, breach of contract, rescission, conversion, and unjust enrichment.

4. On or about November 7, 2016, the Bergen County Superior Court entered Roemmele's request for an Entry of Default against Defendant.

5. As counsel for Roemmele was preparing an application for Entry of Default, Defendant filed the present petition under Chapter 7 of the Bankruptcy Code, which was filed with the intent to avoid payment of the \$21,000.00 by having the debt discharged in bankruptcy.

6. On or about March 16, 2017, Roemmele filed an Adversary Complaint to Determine Dischargeability of Debt, Adversary Case Number 17-01205-JKS.

7. Following Defendant's failure to respond to Roemmele's Complaint, on June 29, 2017, Roemmele filed a Request to Enter Default in the sum of \$21,000 against Defendant.

8. On August 3, 2017, Roemmele filed a Request to Enter Default Judgment against Defendant, and a Proof Hearing was ordered.

9. Defendant appeared at the Proof Hearing on August 29, 2017. For the first time since the Complaint was filed in Superior Court, Defendant appeared to defend his position.

10. The Court allowed Defendant until September 14, 2017 to file opposition to Roemmele's Request to Enter Default, and advised that Roemmele can request attorney's fees in the event that Default Judgment was entered.

11. Defendant did not subsequently file any opposition, and on September 18, 2017, the Court entered Default Judgment against Defendant.

12. Therefore, pursuant to the Court's instructions, Roemmele hereby seeks attorney's fees from Defendant for the costs associated with the underlying motion.

13. In representing Roemmele, the undersigned expended approximately 26.3 hours at the rate of \$270.00 per hour, totaling \$7,101.00. These rates have been necessarily incurred

and are reasonable in amount.

14. Attached hereto as Exhibit A is an invoice detailing the time spent representing Roemmele since we became aware that Defendant filed the instant bankruptcy matter.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

CLEARY GIACOBBE ALFIERI JACOBS LLC
Attorneys for Creditor, Travis Roemmele

By: /s/ Scott A. Sears

Scott A. Sears

Dated: November 9, 2017